

**Notice of Allowability**

Application No.

09/812,394

Examiner

Cao (Kevin) Nguyen

Applicant(s)

CRAIN ET AL.

Art Unit

2173

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 09/16/09.
2. ☒ The allowed claim(s) is/are 1-11, 13-19 and 21-24.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date 02/24/04.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 9/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

CAO (KEVIN) NGUYEN  
PRIMARY EXAMINER

## **DETAILED ACTION**

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert Klinger on 09/19/06.

The application has been amended as follows:

Claim 12 has been cancelled.

Claims 13 and 18 are depending on claim 11 now.

### **ABSTRACT**

A method and apparatus of the invention allows an operator to identify a specific article of online-content to be reconstructed and displayed, and specify a duration of time to be used when graphically representing what areas of the visual stimuli were actually visible to the user. The invention is a method for retrieving multiple instances of an article of online content from a database of previously recorded content. In yet another invention is a method for reconstructing visual stimuli as originally displayed to a user as one form of composition. Still another invention is a method for reconstructing a field of visual stimuli that could be observed by a user as one form of composition.

***Claim 1 (Currently Amended)*** A method of reconstructing visual stimuli observable through a browser-based interface, comprising:  
receiving user defined parameters for content visual stimuli for to be reconstructed;  
receiving data called by the user defined parameters related to the visual stimuli;  
displaying a portion of the visual stimuli based on the data;  
reconstructing the displayed portion of the visual stimuli as a function of the user defined parameters, wherein the reconstructed displayed portion represents the visual stimuli displayed during a time period specified by a user; and displaying the reconstructed visual stimuli based on the received data; wherein masking an area of the content during reconstruction that was not displayed during the specified time period.

***Claim 8 (Currently Amended)*** A method of reconstructing visual stimuli observable through a browser-based interface, comprising:  
receiving user defined parameters for content visual stimuli for to be reconstructed;  
receiving data related to the content visual stimuli;  
displaying a portion of the content visual stimuli based on the data; and  
reconstructing the displayed portion, wherein the reconstructed displayed portion

represents visual stimuli as it was previously displayed; and wherein the data is a user eye position; wherein masking an area of the content during reconstruction that was not displayed during the specified time period.

***Claim 9 (Currently Amended)*** A method of reconstructing visual stimuli observable through a browser-based interface, comprising:  
receiving user defined parameters for content visual stimuli for reconstruction;  
receiving data related to the content visual stimuli;  
displaying a portion of the content visual stimuli based on the data;  
reconstructing the displayed portion, wherein the reconstructed displayed portion represents visual stimuli as it was previously displayed; and wherein the data is a user pupil dilation; wherein masking an area of the content during reconstruction that was not displayed during the specified time period.

***Claim 19. (Currently Amended)*** A system for reconstructing visual stimuli observable through a browser-based interface, comprising:  
means for receiving visual stimuli for reconstruction;  
means for receiving data related to the visual stimuli;  
means for displaying an amount of visual stimuli to display based on the data;  
means for reconstructing the displayed portion, wherein the reconstructed displayed

portion represents visual stimuli as it was previously displayed during a time period specified by the user; and means for displaying the reconstructed visual stimuli; wherein masking an area of the content during reconstruction that was not displayed during the specified time period.

***Claim 21. (Currently Amended)*** A computer readable medium comprising instructions for:

receiving an article of online content to be reconstructed;

receiving a specified time period from a user to reconstruct the online content that was visible during the specified time period;

receiving at least one composition used to represent visual stimuli as it was previously displayed; and reconstructing the previous displayed visual stimuli based on the article of online content and the specified time period, using the at least one composition; and

displaying the reconstructed previously displayed visual stimuli; wherein masking an area of the content during reconstruction that was not displayed during the specified time period.

***Claim 22. (Currently Amended)*** A computer readable medium comprising instructions for:

receiving visual stimuli;

receiving data related to the visual stimuli;

displaying a portion of the visual stimuli; and reconstructing the displayed portion of visual stimuli as a function of a user's eye position; and displaying the reconstructed previously displayed visual stimuli; wherein masking an area of the content during reconstruction that was not displayed during the specified time period.

***Claim 23. (Currently Amended)*** A method of reconstructing visual stimuli, comprising:  
receiving visual stimuli;  
receiving data related to the visual stimuli;  
displaying a portion of the visual stimuli; and  
reconstructing the displayed portion of visual stimuli as a function of a user's eye position; and displaying the reconstructed previously displayed visual stimuli; wherein masking an area of the content during reconstruction that was not displayed during the specified time period.

***Claim 24. (Currently amended)*** A system for reconstructing visual stimuli, comprising:  
a module receiving visual stimuli;  
a module receiving data related to the visual stimuli;  
a module displaying a portion of the visual stimuli; and  
a module reconstructing the displayed portion of visual stimuli as a function of a user's

Art Unit: 2173

eye position; and a module displaying the reconstructed previously displayed visual stimuli; wherein masking an area of the content during reconstruction that was not displayed during the specified time period.

*Allowable Subject Matter*

Claims 1-11, 13-19 and 21-24 are allowed over the prior art of record.

The following is an examiner's statement of reasons for allowance: Applicant has claimed uniquely distinct features in the instant invention which are not found in the prior art either singularly or in combination of a method reconstructing the displayed portion of the visual stimuli as a function of the user defined parameters, wherein the reconstructed displayed portion represents the visual stimuli displayed during a time period specified by a user; and displaying the reconstructed visual stimuli based on the received data; wherein masking an area of the content during reconstruction that was not displayed during the specified time period. These features are not found or suggested in the prior art.

The closest prior art Levine discloses a conventional storing parameters in a database where an effectiveness score is then calculated; either singularly or in combination fail to anticipate or render the above underline limitations obvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

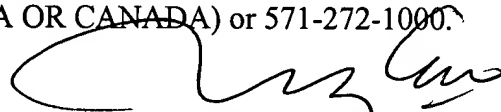
***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (see PTO-892).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cao (Kevin) Nguyen whose telephone number is (571)272-4053. The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571)272-4048. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Cao (Kevin) Nguyen  
Primary Examiner  
Art Unit 2173

09/16/06